FINAL DECISION DOCUMENTATION
Cottonsnake Timber Sale
Supplemental Environmental Assessment (EA # OR118-03-006)

United States Department of the Interior
Bureau of Land Management
Medford District
Glendale Resource Area
Douglas County, Oregon

INTRODUCTION

On June 19, 2003, the Glendale Field Office, Medford District Bureau of Land Management (BLM) issued the Cottonsnake Timber Sale environmental assessment (EA) for public comment after publishing a legal notice of availability in the *Grants Pass Daily Courier* and the *Douglas County Mail* newspapers. The comment period began on June 19, 2003 and ended on July 21, 2003. After considering over a dozen letters from the public, the Glendale Field Manager issued a Decision Record on August 28, 2003, selecting Alternative 2 for implementation. The decision authorized 322 acres of commercial harvesting within the matrix land allocation and consistent with management direction in the Medford District Record of Decision and Resource Management Plan (ROD/RMP, 1995). The Cottonsnake Timber Sale was sold on September 25, 2003.

The timber sale was protested on September 18, 2003. The Glendale Field Manager considered all issues raised in the protest and thoroughly responded to the protesters on December 2003, thus communicating her denial of the protest. A request for stay and appeal was submitted by the protestors to the Office of Hearings and Appeals, Office of the Secretary, U.S Department of the Interior, Board of Land Appeals. The Board of Land Appeals affirmed the BLM decision denying the protest and denied the request for stay in February 2004.

The timber sale decision was subsequently litigated in the United States District Court for the District of Oregon (Case No. 03-3124-CO). The Findings and Recommendations issued by Magistrate Judge Cooney on June 6, 2005 stated that the Cottonsnake Timber Sale EA "analysis is insufficient to show that the BLM took a 'hard look' at the effects or cumulative effects of the CS [Cottonsnake] timber sale on the spread of noxious weeds…An agency must set forth a reasoned explanation for its decision." On February 16, 2006 Oregon District Court Judge Hogan adopted Magistrate Judge Cooney's Findings and Recommendations, and issued a judgment that enjoined ground disturbing activities on the Cottonsnake Timber Sale until the BLM completes "(1) a supplemental environmental assessment with evidence and analysis of effects of the Cottonsnake timber sale on the spread of noxious weeds sufficient to determine whether to prepare an environmental statement or finding of no significant impact (2) an environmental impact statement, if necessary, and (3) a Decision Record with, if necessary, a Finding of No Significant Impact."

In response to Judge Hogan's ruling, BLM focused the supplemental EA (EA #OR118-03-006) on the issue of noxious weeds. This supplemental EA (SEA) for the Cottonsnake Timber Sale was made available for public review for a 30 day comment period from May 3, 2006 to June 2, 2006.

DECISION

The SEA for the Cottonsnake Timber Sale amended the existing analysis of the Cottonsnake Timber Sale EA in order to provide an analysis of the direct, indirect and cumulative effects of the timber sale on the potential spread of noxious weeds. One additional Project Design Feature (PDF) was added that would "seed and/or plant newly created openings (e.g., landings, new road cut and fill slopes, etc.) with native vegetation the first season after completion of the project."

It is my decision to continue implementing the Proposed Action, Alternative 2, as outlined in the Cottonsnake Timber Sale EA and SEA with the additional PDF described above. No other modifications to the original Cottonsnake Timber Sale Decision are necessary.

REASONS FOR THE DECISION

My rationale is based on the following:

1) Findings in the SEA on pages 9-11 state that there are three main reasons why potential weed establishment is not expected to result in a detectable effect to overall ecosystem health under the Proposed Action. First, surveys indicate that very small percentages (less than 0.1%) of the unit acres are presently affected by noxious weeds. Second, these sites located in units proposed for treatment have been reported during pre-disturbance surveys and are proposed for weed treatment under Medford District's Integrated Weed Management Plan and Environmental Assessment OR-110-98-14, which means that known populations would be treated, bringing the acreage in the Planning Area affected by noxious weeds closer to 0% until ongoing activities listed in Table 4-1 of the EA potentially re-introduce weeds into the Planning Area. Third, PDFs have been established to minimize the rate at which project activities might potentially spread noxious weed seed from outside/adjacent sources.

Cumulative Effects

There is no available or existing data regarding noxious weed occurrence on local non-federal lands. Therefore, for purposes of the analysis, BLM assumes that 1) there is a perpetual source of noxious/invasive weeds on non-federal lands that can spread to federal lands, especially when the land ownership is checkerboard, as within the Planning Area, and 2) conversely that noxious weeds are not established on these lands, and therefore there is a need to reduce the risk of spread of noxious weeds from the federal lands to the adjoining non-federal lands. Seeds are spread by the wind, animal/avian vectors, natural events, and human activities - in particular through soil attachment to vehicles. BLM's influence

over these causes of the spread of noxious weeds is limited to those related to human activities. Additional human disturbance and traffic would increase the potential for spreading noxious weed establishment, but regardless of human activity, spread of these weeds will continue through natural forces. Thus, the BLM cannot stop the spread of noxious weeds but might reduce the risk or rate of spread.

There is no available data on the background rate of weed spread, and additional data collection would not reduce the inherent speculation in predicting the future activities of private parties and wildlife and the resultant rate of weed spread. Further, additional data collection would not reduce the inherent speculation in predicting the incremental effects of the Proposed Action on the spread of weeds because of (1) the unpredictable natural factors that largely determine whether weeds would spread after project activities, (2) the unlikelihood that future data collection would be able to detect or measure any difference between background rates of weed spread and the rate of weed spread as affected by the Proposed Action and correspondingly reduced by PDFs, and (3) the included PDFs that would reduce, if not eliminate, any project effects on the rate of weed spread that would make the already undetectable effects of the Proposed Action even more undetectable. Finally, data collection on the rate of spread would not alter the PDF techniques already being applied to reduce that rate of spread. It cannot be over emphasized that under the No Action Alternative, noxious weeds are likely to spread over time regardless of whether or not the Cottonsnake Timber Sale occurs, and that rate would not be altered to any detectable degree by the Proposed Action.

2) The BLM received two letters of comment to the supplemental Cottonsnake EA during the 30-day comment period. Responses to noxious weed comments from both of these letters are found in Attachment to this final Decision Document of the SEA. Most of the comments were outside the scope of the SEA. The scope of the SEA was clearly identified by order of District Court (Case No. 03-3124-CO) to complete "(1) a supplemental environmental assessment with evidence and analysis of effects of the Cottonsnake Timber Sale on the spread of noxious weeds sufficient to determine whether to prepare an environmental statement or finding of no significant impact (2) an environmental impact statement, if necessary, and (3) a Decision Record with, if necessary, a Finding of No Significant Impact." Comments dealing with the original Cottonsnake Timber Sale EA (OR-118-03-006) were not considered as they were not relevant to the scope of the SEA and this decision.

FINDING OF NO SIGNIFIANT IMPACT

Two letters were received during the 30-day review period for the SEA. Those letters did not provide new information, nor did it identify a flaw in assumptions, analysis, or data that would alter the environmental analysis disclosed in the SEA.

Based upon review of the Cottonsnake SEA and supporting project record, I have determined that Alternative 2 (Proposed Action), including the potential spread of noxious weeds, is not a major federal action and would not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27. Therefore, an environmental impact statement is not needed. This finding is based on the following discussion:

Context. The Proposed Action is a site-specific action that potentially affects the spread of noxious weeds on BLM Oregon and California (O & C) administered land that by itself does not have international, national, region-wide, or state-wide importance.

The discussion of the significance criteria that follows applies to the intended actions and is within the context of local importance. The SEA details the effects of the Proposed Action. None of the effects identified, including direct, indirect and cumulative effects, are considered to be significant and do not exceed those effects described in the *Medford District Resource Management Plan/Final Environmental Impact Statement* (June 1995).

Intensity. The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27.

1. Impacts may be both beneficial and adverse. The predicted environmental effects of the Proposed Action most noteworthy include: The effect of implementing Alternative 2 could possibly result in the establishment of new noxious weed populations. Although the *immediate* potential for weed spread would be less with the No-Action Alternative than for the Proposed Action, the potential for the spread of existing noxious weeds and the introduction of new species is considered similar for both alternatives, because of the inclusion of PDFs in Alternative 2, and the fact that under the No Action Alternative, populations would continue to establish and spread due to seed transport by vehicular traffic, wildlife, and other natural dispersal methods listed in Table 4-1 regardless of the alternative selected.

2. The degree to which the selected alternative will affect public health or safety. Public health and safety under the Proposed Action would not be adversely affected due to the potential spread of noxious weeds. .The Proposed Action is comparable to other timber harvest projects which have occurred under the Medford ROD/RMP within the Glendale Resource Area with no unusual health or safety concerns. Responses to public scoping comments are found in the Attachment. No public health or safety risks were identified in those comments.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wild and scenic rivers, or ecologically critical areas. There are no prime farm lands, wetlands, wild and scenic rivers, wilderness or ecologically critical areas (i.e. Area of Critical Environmental Concern) located within the Planning Area.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial. The effects of the Proposed Action on the quality of the human environment are adequately understood by the interdisciplinary team to provide analysis for the decision. The two letters of comment were analyzed by the Cottonsnake interdisciplinary team. The actions of the Proposed Action are within those identified in the RMP and the predicted effects are contained in Chapter 3 of the SEA. BLM fully responded to these comments in Attachment. None of the comments raised substantial question about the significance of the projects environmental effect nor were they considered controversial in respect to their context and intensity in determining significance.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks. The Proposed Action is not unique or unusual. The BLM has experience implementing similar actions in similar areas and have found effects to be reasonably predictable. The environmental effects to the human environment are fully analyzed in Chapter 3 of the SEA. There are no predicted effects on the human environment which are considered to be highly uncertain or involve unique or unknown risks. The SEA project received two letters of comment and no unique or unknown risks were identified.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration. The Proposed Action does not set a precedent for future actions that might have significant effects, nor does it represent a decision in principle about future consideration. Chapter 3 evaluates the effects of the potential spread of noxious weeds for the Proposed Action and the findings are that Proposed Action would be compliant with the effects anticipated under the Medford RMP. Any future projects would be evaluated through the NEPA (National Environmental Policy Act) process.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. The interdisciplinary team (IDT) evaluated the Proposed Action in the context of past, present and reasonably foreseeable actions. The IDT determined that there are no significant cumulative effects outside those already disclosed in the *Medford District Resource Management Plan/Final Environmental Impact Statement.* A complete disclosure of the effects of the Proposed Action is contained in Chapter 3 of the SEA.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources. The Proposed Action would not adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places, nor would the Proposed Action cause loss or destruction of significant scientific, cultural, or historical resources.

9. The degree to which the action may adversely affect an endangered or threatened

species or its habitat that has been determined to be critical under the Endangered Species Act of 1973. The Proposed Action would have no effect on endangered or threatened species or their habitat because: 1) noxious weeds are not a limiting factor for threatened and endangered species and 2) potential noxious weed spread is less than 0.1% of acreage within the Planning Area units are affected by noxious weeds and treatments under Medford District's Weed Program would bring the total closer to 0%.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment. The Proposed Action does not violate any known federal, state, or local law or requirement imposed for the protection of the environment. Furthermore, the Proposed Action is consistent with applicable land management plans, policies, and programs in section 1.2 of the SEA.

ADMINISTRATIVE REMEDIES

This decision is a forest management decision. Administrative remedies are available to those who believe they will be adversely affected by this decision. Administrative recourse is available in accordance with BLM Forest Management regulations and must follow the procedures and requirements described in 43 CFR § 5003 - Administrative Remedies.

The effective date of this decision will be the date of publication of the notice of decision in the *Grants Pass Daily Courier*. Publication of this notice establishes the date initiating the 15-day protest period provided for in accordance with 43 CFR § 5003.3.

To protest a forest management decision, a person must submit a written protest to Glendale Field Manager, Grants Pass Interagency Office, 2164 NE Spalding Ave, Grants Pass, OR 97526 by the close of business (4:00 p.m.) not more than 15 days after publication of the decision notice. The protest must clearly and concisely state which portion or element of the decision is being protested and the reasons why the decision is believed to be in error. Only signed hard copies of protests that are delivered to the Grants Pass Interagency Office will be accepted. Faxed or emailed protests will not be considered.

The original Cottonsnake Timber Sale notice was released on September 4, 2003, followed by a 15-day protest period. The principle of administrative finality precludes any further protest of the original Cottonsnake Timber Sale. Consequently, what is protestable now is specifically limited to the issue (i.e., effects of the Cottonsnake Timber Sale on the potential spread of noxious weeds) addressed in the supplemental decision for the Cottonsnake Timber Sale.

IMPLEMENTATION DATE

If no protest is received by the close of business (4:00 p.m.) within 15 days after publication of the decision notice, the decision will become final. If a timely protest is received, the decision will be reconsidered in light of the statement of reasons for the

protest and other pertinent information available, and a final decision will be issued in accordance with 43 CFR § 5003.2.

CONTACT PERSON

For additional information contact Katrina Symons, Glendale Field Manager, 2164 NE Spalding Ave, Grants Pass, OR 97526; telephone 541-471-6653, or Martin Lew at 541-471-6504.

_____ _____

Katrina Symons Date
Field Manager, Glendale Resource Area
Medford District, Bureau of Land Management

Attachment

PUBLIC COMMENT TO SUPPLEMENTAL EA OR118-03-006 AND BLM RESPONSE

The scope of the SEA was clearly identified by order of District Court (Case No. 03-3124-CO) to complete "(1) a supplemental environmental assessment with evidence and analysis of effects of the Cottonsnake Timber Sale on the spread of noxious weeds sufficient to determine whether to prepare an environmental statement or finding of no significant impact (2) an environmental impact statement, if necessary, and (3) a Decision Record with, if necessary, a Finding of No Significant Impact." Comments dealing with the original Cottonsnake Timber Sale EA (OR-118-03-006) were not considered as they were not relevant to the scope of the SEA and this decision.

David Mildrexler, Missoula, Montana

comment a: Your Supplemental EA states that noxious weeds are "along many roadsides," and estimates that less than 1% of the harvest unit acreage harbor noxious weeds. This suggests that road-building opened these sites up for noxious weed invasion and is the major factor for weed spread in this area and that the planning area is currently effectively resisting weed invasion. This project threatens to significantly degrade resistance to noxious weeds within the planning area by degrading the existing plant community, while simultaneously causing soil disturbance that will greatly encourage establishment of noxious weeds throughout the planning area.

BLM Response: The building of roads is not the major reason for noxious weed invasion in the Planning Area. Traffic on these road and windblown seed are the reasons for infestation. You are incorrect that the Planning Area is currently effectively resisting weed invasion. BLM's estimate that less than 1% of the harvest unit acreage harbors noxious weed populations is not attributable to any kind of "natural resistance" to weed invasion as you speculate, rather, this statistic is directly attributable to the fact that the Glendale Resource Area has had, and continues to have an ongoing program to treat noxious weeds, including this Planning Area regardless of timber harvesting. Soil disturbance and resulting potential for noxious weed expansion is mitigated by Project Design Features (PDFs) such as washing vehicles and planting disturbed areas with native species. Your premise that plant communities are resistant to noxious weeds is incorrect. There are many noxious weed species that are common in the existing plant communities such as Himalaya blackberry. As mentioned in the supplemental environmental assessment (SEA) noxious weeds can potentially spread on newly disturbed ground or influx of light from human caused or natural processes (p. 6). The Cottonsnake Timber Sale would have a net decrease of approximately 2.2 miles of roads (EA, p. 20) and therefore would reduce traffic and the related potential spread of noxious weeds.

comment b: *The rate of spread of noxious weeds in a forest ecosystem is directly related to the ability of the vegetative community to resist invasion. This in turn is dependant*

upon forest structure (canopy density) and understory composition of the site, and over time, disturbance regimes. The Cottonsnake planning area currently has a multi-layered canopy, and a complex heterogeneous understory. In fact, this area has not been previously logged and is currently in an old growth state, one of the most resistant forest stages to noxious weed invasions.

BLM Response: Your premise that the Cottonsnsake Planning Area is in an old growth condition, a complex heterogeneous understory and has not been logged before is incorrect. This Planning Area was once a more open pine community that is now a more Douglas-fir dominated plant community The analysis from the wildlife biologist in the 2003 EA (EA #OR118-03-006) states:

> Late-successional habitat in the Planning Area was likely more contiguous on the landscape prior to European settlement. The current condition of the late-successional habitat at the broader fifth-field watershed and the project level are best described as a scattered pattern of residual mature forests and young stands, primarily as a result of human logging practices both on public and private lands. In addition to extensive clearcuts on private and federal lands (prior to the NFP), there has been considerable partial cutting, especially on BLM lands. In some cases this has resulted in an open overstory with conifer establishment in the understory. However, in many areas this practice has resulted in dense brush and hardwood stands under the residual conifer overstory" (2003 EA, p.30).

The analysis from the silviculturist in the 2003 EA states:

> Some units have remnant ponderosa pine communities. Historically these stands were probably fairly open with large pines and a scattered understory consisting of conifers, hardwoods, brush and grass. However, decades of extensive fire suppression have allowed dense understories of young Douglas-fir to develop in some of these stands. Large wild fires burned over parts of this area in the 1950s, creating extensive areas of young stands and brush in some areas.
>
> Timber harvesting has also altered the landscape. Partial cutting in the 1970s removed 1/3 - 2/3 of the trees in many stands and post harvest treatments did not include planting of seedlings. For this reason, understories have become dominated by tanoak, brush and hardwoods, or a mixture of brush and conifer saplings. The overstories are relatively open because most of the trees harvested were large dominants and co-dominants. Partial cutting and clear cutting, considered acceptable at that time, extended down into riparian areas. Private lands in the watershed have been extensively cut, except for some older stands in the northern portion of the area. There has been recent clearcut logging on private lands near the sale area" (2003 EA. p. 33, 34).

Your premise on the resistance to noxious weed invasion was responded to in "a" above.

comment c: The forest ecosystem, left with high resilience and resistance to invasion, will do most of the work by not providing suitable habitat for invasion. Native plant communities are strong when unbroken.

However, with the proposed action, every factor listed in Table 4-1 becomes a serious threat to weed invasion. You will remove the canopy, damage and destroy parts of the understory community, cause soil damage that opens up habitat for weeds, and unintentionally encourage more damaging forms of recreation. Then, every factor in Table 4-1 becomes a potentially huge problem. Why? Because you are working against the forest. You should not be logging this forest structure in the first place!

BLM Response: Your premise that forest ecosystems are static is incorrect. Many studies in southern Oregon suggest that fire frequency was as frequent as five years apart and created a mosaic of open conditions up to 40% of the forest landscape. As mentioned in respose to "b" above, human fire suppression in the past decades, not some "unbroken" natural condition, has created the more dense condition you seem to desire. See response to "a" above regarding weed invasion.

comment d: The EA, under Alternative 2 - Cumulative Impacts, spends paragraphs disempowering the Agencies ability to make future speculations on weed spread for lack of data, consistently pointing to the inability to draw conclusions because of the paucity of data. And then, to state that the rate of noxious weed spread would not be altered to any detectable degree by the Proposed Action is unfounded. Where is your data to support this conclusion? I want to see the data that shows that commercial logging will not produce an increase in noxious weeds to any detectable degree. Maybe the BLM should start to collect data so that it isn't putting forest ecosystems onto a degraded trajectory without even knowing it.

BLM Response: The botanist for the SEA recognizes that there is no existing information on the potential spread of noxious weeds and that the problem is at a larger landscape and regional scale because of the potential spread by seeds attached to vehicles, birds, animals and the wind. You have not provided any new information or data to discount the botanist's findings other than to say more data is needed. The SEA concludes that:

> There is no available data on the background rate of weed spread, and additional data collection on the rate of weed spread would not reduce the inherent speculation in predicting the future activities of private parties and wildlife and the resultant rate of weed spread. Further, additional data collection would not reduce the inherent speculation in predicting the incremental effects of the Proposed Action on the spread of weeds because of (1) the unpredictable natural factors that largely determine whether weeds would spread after project activities, (2) the unlikelihood that future data collection would be able to detect or measure any difference between background rates of weed spread and the rate of weed spread as affected by the Proposed Action and correspondingly reduced by PDFs, and (3) the included PDFs that would reduce, if not eliminate, any project effects

> on the rate of weed spread that would make the already undetectable effects of the Proposed Action even more undetectable. Finally, data collection on the rate of spread would not alter the PDF techniques already being applied to reduce that rate of spread. It cannot be over emphasized that under the No Action Alternative, noxious weeds are likely to spread over time regardless of whether or not the Cottonsnake Timber Sale occurs, and that rate would not be altered to any detectable degree by the Proposed Action" (SEA, p. 11).

You have provided no information to counter the botanist's conclusions that more data collection would not generate any useful information to the decision maker, especially given the highly speculative exercise of distinguishing the unpredictable natural factors that largely determine whether weeds would spread after project activities.

George Sexton, Klamath Siskiyou Wildlands Center

comment e: The Middle Cow Creek WA indicates on page 71 that:

> *There are significant unmet needs relating to noxious weeds in the Middle Cow Creek watershed which include: inventory or species and distribution, determining invasive mechanisms, and evaluation and monitoring of current condition and expected growth.*

BLM Response: Your citation of page 71 of the WA fails to include the heading of that section which clearly identifies "Data Gaps." While there are unmet needs for information on noxious weeds, more information would not generate any useful information. See response to "d" above regarding lack of data which mentions that there is no available data on the background rate of weed spread, and additional data collection on the rate of weed spread would not reduce the inherent speculation in predicting the future activities of private parties and wildlife and the resultant rate of weed spread.

comment f: The EA failed to provide substantive analysis or information about the problem of noxious weeds in the planning area.

BLM Response: The BLM took a hard look at the direct, indirect and cumulative effects of noxious weeds in the Cottonsnake Planning Area. The SEA provided 11 pages of substantive analysis or information about the potential spread of noxious weeds in the Planning Area. The finding from the SEA botanist was mentioned in response to "d" above.

comment g: Despite public comment, the BLM simply chose to ignore the fact that Bull Thistle, Diffuse knapweed, Medusuahead rye, Tansy ragwort and Yellow starthistle are very common in the planning area. There is no question that the proposed logging and roading activities will contribute to the spread of these, and other, noxious weeds.

BLM Response: The BLM surveys identified bull thistle, scotchbroom and Himalaya blackberry within or near proposed treatment areas. You allege that there are other weed species that BLM failed to identify. BLM surveys were not intended to be exhaustive but provide documentation of noxious weed species found within or nearby harvest units.

You have not provided any evidence, such as survey results, for the other species you mention that are within the Planning Area. Even if there are other noxious weed species, you have not identified how these species would spread different than the mechanisms determined by the Project botanist. The botanist determined in the SEA that:

> The effect of implementing Alternative 2 could possibly result in the establishment of new noxious weed populations. Although the *immediate* potential for weed spread would be less with the No-Action Alternative than for the Proposed Action, the potential for the spread of existing noxious weeds and the introduction of new species is considered similar for both alternatives, because of the inclusion of PDFs in Alternative 2, and the fact that under the No Action alternative, populations would continue to establish and spread due to seed transport by vehicular traffic, wildlife, and other natural dispersal methods listed in Table 4-1 regardless of the alternative selected.
>
> Indirect effects associated with noxious weed population enlargement are similar to those mentioned in the No Action Alternative, and are known to include, generally, declines in the palatability or abundance of wildlife and livestock forage (Rice et al., 1997), declines in native plant diversity (Forcella and Harvey, 1983; Tyser and Key, 1988; Williams, 1997), reductions in the aesthetic value of the landscape, encroachment upon rare plant populations and their habitats, potential reductions in soil stability and subsequent increases in erosion (Lacey et. al, 1989), and an overall decline of ecosystem health.
>
> However, considering implementation of Alternative 2, there are three main reasons why potential weed establishment that might be caused by the Proposed Action is not expected to result in a detectable effect to overall ecosystem health. First, surveys indicate that a very small percentage - less than 0.1% of acreage within the Planning Area units - is affected by noxious weeds. Second, these sites located in units proposed for treatment have been reported during pre-disturbance surveys, and are proposed for weed treatment under Medford District's *Integrated Weed Management Plan and Environmental Assessment OR-110-98-14*, which means that known populations would be treated, bringing the acreage in the Planning Area affected by noxious weeds closer to 0% until ongoing activities listed in Table 4-1 re-introduce weeds into the Planning Area. Third, as aforementioned, Project Design Features (PDFs) have been established to minimize the rate at which project activities might potentially spread noxious weed seed from outside/adjacent sources" (SEA, p. 9, 10).

comment h: The Supplemental EA repeats many of the errors and omissions of the initial EA. Rather than responding directly to the clear recommendation in the WA (cited above) to conduct a meaningful inventory of species and distribution, the Supplement simply states that "There is no available data on the background rate of weed spread, and additional data collection on the rate of weed spread would not reduce the inherent speculation in predicting future activities of private partiesŠ (sic) " Supplemental EA page 11. Such statements ignore the fact that the WA and the Medford LRMP both direct

the agency to conduct monitoring of weed populations on the site specific level. The Supplement then goes on to rely on generic and ineffective BMPs and PDFs. The BLM's refusal to substantively quantify and monitor noxious weed spread runs afoul of the LRMP at page 93 requirement to survey such populations.

BLM Response: You are incorrect in your citation of the WA as being a clear recommendation. As mentioned in "e" above that your citation of page 71 of the WA fails to recognize that section of the WA was not a "recommendation," but appeared under the heading for the section the WA identified as "Data Gaps." From the WA's identification of unavailable data, you wrongly infer that BLM is required to, or should, conduct studies and monitoring to provide such data. While there are information gaps on noxious weeds, more information would not generate any useful information. See response to "d" above regarding lack of data which mentions that there is no available data on the background rate of weed spread, and additional data collection on the rate of weed spread would not reduce the inherent speculation in predicting the future activities of private parties and wildlife and the resultant rate of weed spread. The EA acknowledges that the RMP direction is to "Contain and/or reduce noxious weed infestations on BLM-administered land ... (p. 92)," and "...survey BLM-administered land for noxious weed infestations…(p. 93)." These RMP directions for weed management are intended to be met at a landscape level; you are incorrect in your interpretation of the RMP as requiring achievement of these weed management directions at the site specific level. Whether BLM achieves the direction is not intended to be measured at the site specific level nor with the implementation of each project.

Further, your comments fail to take into account efforts the Medford District is actively engaged in to address noxious weeds as stated in the SEA:

> Thousands of acres of weed treatments have occurred on federal (and non-federal) lands over the last decade across the Medford District with the RMP-driven objective of containing or reducing – not eradicating - noxious weed populations (Budesa, 2006). In an effort to continue to contain and/or reduce noxious weeds on federal land, the BLM proposed to treat known weed populations within the Glendale Resource Area, including the Cottonsnake Planning Area, under a contract funded by Title II, in 2005. This contract is separate of the Cottonsnake Timber Sale as analyzed under the Medford the District's *Integrated Weed Management Plan and Environmental Assessment OR-110-98-14"* (SEA, p. 6).

As mentioned in the SEA (p. 8), PDFs have been widely accepted and utilized as Best Management Practices in noxious weed control strategies across the nation (Thompson, 2006).

comment i: The BLM has also not placed "priority on eliminating or reduction of noxious weeds occurring within special areas" as required by page 93 of the LRMP. Please note that the planning area contains special areas such as a Key Watershed that overlays NSO critical habitat. FLPMA mandates that the BLM must follow the standards and guidelines of its LRMP.

BLM Response: You are incorrect of identification of "special areas." The RMP identifies special areas as "areas that may need special management, which may include management as an Area of Critical Environmental Concern, Research Natural Area, Outstanding Natural Area, Environmental Education Area or other special category" (RMP, p. 114). The Planning Area is not only outside of a Key Watershed, a Key watershed is not identified as a special area or either is NSO critical habitat a special area (RMP, p. 56 and Table 6).

comment j: *While acknowledging that "road construction/decommissioning would provide suitable habitat for noxious weeds to colonize" (Supplement page 8) the Supplement fails to analyze this vector in its analysis of "factors affecting the determination of the rate of noxious weed spread." (Supplement page 7.)*

BLM Response: You are incorrect that suitable noxious weed habitat from road construction/decommissioning is a vector. Carriers of noxious weed seeds have been correctly identified as vehicles, wind, animals, etc. (see Table 4-1 of SEA).

comment k: The Supplement's reliance on generic PDFs and BMPs to substitute for a hard look at the site-specific cumulative impacts of noxious weed spread is misplaced. Besechta et al. (1995) also identified several conditions precedent for accurate analysis of cumulative watershed effects, including: 1) accurate understandings of natural variation in environment; 2) reliable baseline information at the local and regional scale (ideally from "reference" sites); 3) accurate assessments of the probable effects on key resources of past, present and foreseeable future activities; 4) development of reliable models that relate resource conditions within a dynamic spatial framework; and 5) establishment of levels of acceptable change in the environment.

None of these factors are considered or analyzed in the Supplemental EA.

BLM Response: Your citation of Besechta appears to be related to watershed effects and not to noxious weeds. In any event, you wrongly tout Besechta's "factors" as the only way to complete cumulative effects NEPA analysis. Besechta does not work for the BLM, nor is he, or anyone else for that matter, an "expert" on NEPA cumulative effects analysis; moreover, NEPA leaves to the agencies the discretion for choosing their cumulative effects methodology. By simply citing Besechta's "factors" you have provided nothing to show that the BLM methodology in the SEA is flawed, but rather only that you prefer Besechta's approach over that of the BLM. Your preference for Besechta is not a basis for finding that BLM's methodology here was arbitrary, capricious, or contrary to NEPA. The Cottonsnake SEA took a hard look at the effects of the project on the potential spread of noxious weeds on pages 4 – 11 and concluded that the effects from the Proposed Action are similar to the No Action. The SEA does not rely on PDFs because they were analyzed as a part of the project when the botanist determined in her analysis of direct, indirect and cumulative effects of noxious weeds that:

1) The Proposed Action is not expected to result in a detectable effect to overall ecosystem health. First, surveys indicate that a very small percentage - less than 0.1% of acreage within the Planning Area units - are affected by noxious weeds. Second, these sites located in units proposed for treatment have been reported during pre-disturbance surveys, and are proposed for weed treatment under Medford District's *Integrated Weed Management Plan and Environmental Assessment OR-110-98-14*, which means that known populations would be treated, bringing the acreage in the Planning Area affected by noxious weeds closer to 0% until ongoing activities listed in Table 4-1 re-introduce weeds into the Planning Area. Third, Project Design Features (PDFs) have been established to minimize the rate at which project activities might potentially spread noxious weed seed from outside/adjacent sources" (SEA, p. 9, 10).

2) It cannot be over emphasized that under the No Action Alternative, noxious weeds are likely to spread over time regardless of whether or not the Cottonsnake Timber Sale occurs, and that rate would not be altered to any detectable degree by the Proposed Action" (SEA, p. 11).